

Notice of Allowability

Application No.

09/755,452

Examiner

Ellen C. Tran

Applicant(s)

HARRIS, SCOTT C.

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9 November 2006 and 18 January 2007.
2. ☒ The allowed claim(s) is/are 1,3-9,14-16,18-23,25 and 26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

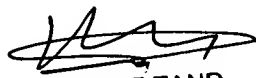
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 18 January 2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


KAMBIZ ZAND
PRIMARY EXAMINER

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1. In response to amendment filed on 9 November 2006 and Examiner Initiated Interview on 18 January 2007. The amendment to the claims and abstract is accepted.
2. An examiner's amendment to the record is attached. Please enter entire claim set. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. The examiner's amendment to amend claims 68, 72, 91, 101, and 105 and cancel claims 70, 73, 93, 96; was authorized by attorney of record Peter Ludwig in phone interview on 8 January 2007, followed by a confirmation call.

Reasons for Allowance

- 3 Claims 1, 3-9, 14-16, 18-23, 25, and 26 are allowed over the prior art of record.

The following is a statement of reasons for the indication of allowable subject matter:

In interpreting the claims in light of the specification and applicant's arguments as well as Examiner's Amendment attached. Examiner finds the claimed invention is patentable distinct from the prior art of record.

The prior art of record, England et al. introducing digital rights for content and the prior art of record Tello introducing a personalized computer with unique encrypted digital signature.

The prior art of record, England or Tello, fail to anticipate or render Applicant's particular feature:

“allowing reading of said first plurality of files using a second, recovery decryption key to decrypt the files, different than said first decryption key, and which is intended for recovery of files when said first decryption key becomes unavailable”

The dependent claims, being further limiting to the independent claims, defined and enabled by the Specification are also allowed.

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4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

5. Corrected drawings are needed, specifically FIG. 5, needs to be updated so that it is clear the recovery routine utilizes a second key, different than the first key which has become unavailable.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is

(571) 272-3842. The examiner can normally be reached from 10:00 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ECT
Ellen. Tran
Patent Examiner
Technology Center 2134
18 January 2007


KAMBIZ ZAND
PRIMARY EXAMINER

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EXAMINER'S AMENDMENT:

This listing of claims replaces all prior versions, and listings, of claims in the application:

Listing Of Claims:

1. (currently amended) A method, comprising:

identifying a user using unique information;

encrypting a first plurality of files in a computer using a first encryption key that is associated with said user;

responsive to said identifying, using a program and a first decryption key, corresponding to said first encryption key, to allow changes to be made to any of said first plurality of files associated with said user;

allowing reading of said first plurality of files using a second, recovery decryption key to decrypt the files, different than said first decryption key, and which is intended for recovery of files when said first decryption key becomes unavailable.
2. Cancelled
3. (Previously Presented) A method as in claim 1, wherein said unique information includes a user password.
4. (Previously Presented) A method as in claim 1, wherein said unique information includes a unique number indicative of hardware in the computer system.

5. (Original) A method as in claim 1, further comprising designating a second plurality of files on the computer as read only, and storing unencrypted information in said read only files, but not allowing any changes to said read only files.

6. (Original) A method as in claim 5, further comprising establishing a plurality of special files within said plurality of files, said special files being unencrypted read/write files, and establishing special security measures for said special files.

7. (Original) A method as in claim 6, wherein said security measures include determining whether a specified program is actually accessing the file, and only allowing file access by said specified program.

8. (Original) A method as in claim 1, further comprising detecting certain kinds of accesses based on specified security criteria, and maintaining a log of said accesses including information about a program that made said accesses.

9. (Previously Presented) A method as in claim 1, further comprising selecting a first file, and designating said file as being encrypted, to change an encryption status of said first file.

10-13 (Cancelled)

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14. (Currently Amended) A computer, comprising:

a processor;

a file accessing element, controlled by a controlling operation, said file accessing part encrypts certain files in the computer in a way that prevents access to specified files but allows access to other files unless first file decryption information is used to allow access to first encrypted files; and

wherein said file accessing part also allows access to said specified files using second file decryption information to decrypt said certain files, said second file decryption information being different than said first file decryption information, where said second file decryption information is a recovery key intended for recovering said specified files if said first file decryption information is unavailable.

15. (Original) A computer as in claim 14, wherein said file accessing element allows access to all read only files, and prevents access to read/write files without said unique information.

16. (Original) A computer as in claim 15, wherein said file accessing element allows access to certain read write files which are designated as being special, and also conducts a security check before allowing said access to said read write files.

17. Cancelled.

18. (Previously Presented) A computer as in claim 14, wherein said encrypting comprises obtaining personal information from a user, and using said personal information to form encryption and/or decryption operations.

19. (Original) A computer as in claim 18, wherein said personal information is a password.

20. (Previously Presented) A computer as in claim 14, further comprising a file storage part which includes removable memory, and wherein an encrypted file is decrypted prior to writing to said removable memory.

21. (Original) A computer as in claim 14, wherein said file accessing element is part of an operating system.

22. (Currently amended) A method comprising:
identifying a first user;
using an operating system associated program of a computer to designate a first plurality of files in a computer, as being associated with said first user and to encrypt said first plurality of files using a first encryption key that is associated with said first user;
responsive to said identifying, using said operating system associated program in said computer to allow said first user to make any changes to any of said first plurality of files using

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said first encryption key associated with said first user to decrypt said first plurality of files, and to prevent reading contents of said first plurality of read/write files when said first user is not identified;

identifying a second user;

using an operating system associated program of a computer to designate a second plurality of files in a computer, as being associated with said second user and to encrypt said second plurality of files using an a second encryption key that is associated with said second user;

responsive to said identifying, using said operating system associated program in said computer to allow said second user to make any changes to any of said second plurality using said second encryption key associated with said ~~first~~ second user to decrypt said second plurality of files, and to prevent reading contents of said ~~first-second~~ plurality of read/write files when said second user is not identified;

allowing other unencrypted files on said system to be read when said first and second user is not identified, but preventing writing to said other unencrypted files; ~~and~~

establishing special files on said system which are unencrypted but which can be written to and read by the system only after a specified security operation; and

allowing reading of said first or second plurality of files using a separate, recovery decryption key to decrypt the files, different than said first or second decryption key, and which is intended for recovery of files when said first or second decryption key becomes unavailable.

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23. (Currently Amended) A method, comprising:

obtaining an encryption and decryption code associated with a user of the computer system;

determining specified files on the computer system having been designated as being encrypted; and

encrypting said specified files on said computer system, using an encryption key that can be decrypted using either said decryption code for said user or with a second, recovery decryption key to decrypt said specified files, different than said first decryption key, and which is intended for recovery of files when said first decryption key becomes unavailable.

24. cancelled.

25. (Previously Presented) A method as in claim 23, wherein encryption and decryption information is stored on a smart card.

26. (Previously Presented) A method as in claim 23, further comprising identifying a user using a code from a biometric.

27. cancelled.